

Message Text

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PAGE 01 STATE 189805
ORIGIN ARA-06

INFO OCT-01 SS-14 ISO-00 L-01 H-01 INR-05 PM-03 PRS-01
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TO AMEMBASSY PANAMA IMMEDIATE

C O N F I D E N T I A L STATE 189805

LIMDIS

E.O. 11652: GDS

TAGS: PFOR, PN

SUBJECT: CONCEPTUAL FRAMEWORK FOR A NEW PANAMA CANAL TREATY

REF: TELCON PRICE/NADEAU

1. UNDERSTAND FROM REF THAT NEGOTIATORS NOT PLANNING CABLE
NEW CONCEPTUAL FRAMEWORK AS IT IS THE SAME AS DOCUMENT PRE-
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BE ADDED ON PRIVATE BUSINESSES WHICH PRICE DICTATED OVER
PHONE.

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AS FOLLOWS:

BEGIN QUOTE: CANAL OPERATION. THE UNITED STATES SHALL
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OF THE TREATY. IT SHALL POSSESS ALL NECESSARY RIGHTS AND
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PANAMANIAN. THEREAFTER, THE ADMINISTRATOR WILL BE PANAMANIAN AND THE DEPUTY, AMERICAN. PANAMANIAN BOARD MEMBERS AND THE PANAMANIAN DEPUTY ADMINISTRATOR/ADMINISTRATOR WILL

BE PROPOSED BY PANAMA AND APPOINTED BY THE UNITED STATES. PANAMANIAN WILL PARTICIPATE INCREASINGLY IN THE CANAL'S OPERATIONS AT ALL LEVELS.

-- JURISDICTION. PANAMA WILL ASSUME GENERAL TERRITORIAL JURISDICTION OVER THE PRESENT CANAL ZONE AT THE TREATY'S START. UNITED STATES CRIMINAL JURISDICTION OVER ITS NATIONALS WILL BE PHASED DOWN DURING THE FIRST THREE YEARS OF THE TREATY. THEREAFTER, PANAMA WILL EXERCISE CRIMINAL JURISDICTION WITH THE UNDERSTANDING THAT IT WILL WAIVE JURISDICTION IN SPECIFIED INSTANCES. US CITIZEN EMPLOYEES AND THEIR DEPENDENTS CHARGED WITH CRIMES WILL BE ENTITLED TO PROCEDURAL GUARANTEES AND WILL BE PERMITTED TO SERVE ANY SENTENCES IN THE UNITED STATES IN ACCORDANCE WITH A RECIPROCAL ARRANGEMENT.

-- CANAL DEFENSE. THE UNITED STATES SHALL HAVE PRIMARY RESPONSIBILITY FOR THE CANAL'S DEFENSE DURING THE TREATY'S TERM. PANAMA WILL PARTICIPATE. A STATUS OF FORCES AGREEMENT SIMILAR TO SUCH AGREEMENTS ELSEWHERE WILL COVER THE ACTIVITIES AND PRESENCE OF OUR MILITARY FORCES.

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-- CANAL OPERATING AND DEFENSE AREAS. THE CANAL ZONE WILL CEASE TO EXIST AT THE TREATY'S START. THE UNITED STATES WILL CONTINUE TO HAVE ACCESS TO AND THE RIGHTS TO USE ALL LAND AND WATER AREAS AND INSTALLATIONS NECESSARY FOR THE OPERATION, MAINTENANCE AND DEFENSE OF THE CANAL DURING THE TREATY PERIOD. DISPOSAL OF UNITED STATES BASES AND FACILITIES UNDER UNITED STATES CONTROL WILL BE AT OUR DISCRETION. USE OF OVER HALF OF THE AREA OF THE PRESENT CANAL ZONE WILL PASS TO PANAMA WHEN THE TREATY ENTERS INTO FORCE. A JOINT AUTHORITY WILL COORDINATE PORT AND RAILROAD ACTIVITIES.

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PAGE 04 STATE 189805

TREATY TO PROVIDE PANAMA WITH A MILITARY ASSISTANCE PROGRAM, AS DETERMINED BETWEEN THE TWO GOVERNMENTS THROUGH REGULAR MECHANISMS.

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-- LABOR. TERMS AND CONDITIONS OF EMPLOYMENT WILL GENERALLY BE NO LESS FAVORABLE TO PERSONS ALREADY EMPLOYED THAN THOSE IN FORCE IMMEDIATELY PRIOR TO THE START OF THE TREATY. WHILE HIRING POLICY WILL PROVIDE PREFERENCES FOR PANAMANIAN APPLICANTS, NO EMPLOYEE SHALL LOSE HIS OR HER EMPLOYMENT BECAUSE OF NATIONALITY, SEX OR RACE. WITH REGARD TO BASIC WAGES THERE SHALL BE NO DISCRIMINATION ON THE BASIS OF NATIONALITY, SEX OR RACE. THE UNITED STATES WILL PROVIDE AN APPROPRIATE EARLY RETIREMENT PROGRAM. PERSONS EMPLOYED IN ACTIVITIES TRANSFERRED TO PANAMA WILL TO THE MAXIMUM EXTENT POSSIBLE BE RETAINED BY PANAMA. PANAMA AND THE UNITED STATES WILL COOPERATE IN PROVIDING APPROPRIATE HEALTH AND RETIREMENT PROGRAMS.

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-- SEA-LEVEL CANAL. PANAMA AND THE UNITED STATES COMMIT THEMSELVES JOINTLY TO STUDY THE FEASIBILITY OF A SEA-LEVEL CANAL AND, IF THEY AGREE THAT SUCH CANAL IS NECESSARY, TO NEGOTIATE MUTUALLY AGREEABLE TERMS FOR ITS CONSTRUCTION.

-PRIVATE BUSINESSES. UNDER THE TREATY AMERICAN BUSINESSES AND NON-PROFIT ACTIVITIES WILL BE ABLE TO CONTINUE THEIR OPERATIONS IN THE PRESENT CANAL ZONE ON THE SAME TERMS AND CONDITIONS APPLICABLE TO SIMILAR BUSINESSES AND ACTIVITIES ELSEWHERE IN PANAMA. CHRISTOPHER

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APPROVED BY:S/AB:DHPOPPER

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FM SECSTATE WASHDC

TO SECRETARY DEPARTMENT OF DEFENSE FLASH

DIRECTOR CENTRAL INTELLIGENCE AGENCY FLASH

SECRETARY DEPARTMENT OF THE TREASURY FLASH

C O N F I D E N T I A L STATE 189805

LIMDIS

FOLLOWING REPEAT STATE 18905 SENT PANAMA AUG 11

QUOTE O N F I D E N T I A L STATE 189805

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APPROVED BY: ARA:LEN LEVINE

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FM SECSTATE WASHDC

TO AMEMBASSY SANTIAGO IMMEDIATE

C O N F I D E N T I A L STATE 189805

LIMDIS - FOR ASSISTANT SECRETARY TODMAN

FOLLOWING SECSTATE 189805 SENT ACTION SECRETARY DEPARTMENT OF DE-
FENSE DIRECTOR CENTRAL INTEL AGENCY SECRETARY DEPT OF
THE TREASURY AUG 11, 1977 REPEATED TO YOU QUOTE

C O N F I D E N T I A L STATE 189805

LIMDIS

FOLLOWING REPEAT STATE 189805 SENT PANAMA AUG 11

QUOTE O N F I D E N T I A L STATE 189805

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Message Attributes

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Decaption Date: 22 May 2009
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
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Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Drafter: DGWAGNER:LL
Enclosure: n/a
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Errors: N/A
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Office: ORIGIN ARA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: ONLY
Original Previous Classification: n/a
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Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: ONLY
Reference: n/a
Retention: 0
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Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1630256
Secure: OPEN
Status: NATIVE
Subject: CONCEPTUAL FRAMEWORK FOR A NEW PANAMA CANAL TREATY
TAGS: PFOR, PN
To: PANAMA
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/f84f105c-c288-dd11-92da-001cc4696bcc
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Margaret P. Grafeld
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US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009